

ASSIGNED**AMENDED**Serial No. **53264****APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office **MAY 12 1989**Returned to applicant for correction **JUN 6 1989**Corrected application filed **JUN 6 1989** Map filed **JUN 6 1989**The applicant **BING CONSTRUCTION COMPANY**

P.O. Box 487

of **Minden**

Street and No. or P.O. Box No.

City or Town

Nevada 89423

State and Zip Code No.

hereby make S application for permission to change the

Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Permit 23204 Certificate 7278**

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is **Underground**
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **0.5 c.f.s. (36 acre feet)**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **Irrigation & Domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **Irrigation & Domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, T. 12 N., R. 20 E., M.D.B. & M., or at a point from which the South $\frac{1}{4}$ corner of said Section 16 bears S. 54° 37' 44" E. A distance of 1683.29 feet. No change. New tie.**
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16, T. 12 N., R. 20 E., M.D.B. & M., or at a point from which the SW corner of said Section 16 bears S. 51° 13' 10" W. a distance of 1609.67 feet.**
If point of diversion is not changed, do not answer.
7. Proposed place of use **Portions of SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and Portions of N $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ all in Section 16 T. 12 N., R. 20 E., M.D.B. & M.**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use **9 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, T. 12 N., R. 20 E., M.D.B. & M.**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from **January 1** to **December 31** of each year.
Month and Day Month and Day
10. Use was permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **Drilled and cased well, pump, motor and distribution lines.**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works **\$15,000.00**
13. Estimated time required to construct works **completed under Permit 23204 Certificate 7278**

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Deeds have been submitted with the State Engineer completing the Chain of Title from D. Gerald Bing to Bing Construction Company.

s/ Jack D. Ferris

By..... THIEL, WINCHELL & ASSOCIATES, INC.
5151 So. Carson Street, Suite 301
Carson City, Nevada 89701
(702) 883-9300

Compared..... pm/ ijs..... bp/se

Protested.....

..... APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 23204, Certificate 7278 is issued subject to the terms and conditions imposed in said Permit 23204, Certificate 7278 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.5..... cubic feet per second, but not to exceed 36 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... December 24, 1990

Proof of completion of work shall be filed before..... January 24, 1991

Application of water to beneficial use shall be made on or before..... December 24, 1995

Proof of the application of water to beneficial use shall be filed on or before..... January 24, 1996

Map in support of proof of beneficial use shall be filed on or before..... January 24, 1996

Completion of work filed..... MAR 4 1991

Proof of beneficial use filed..... FEB 26 1998

Cultural map filed..... FEB 26 1998

Certificate No. 14964 Issued JUL 13 1998

2407 (Rev. 6-81)

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this..... 24th day of..... July.....

A.D. 19..... 90

[Signature]
State Engineer

Abrogated By 61737 ext 01/31/01
Port 64514 0.0155, 62387 0.411 ext 12/21/98